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Client Matter#: 23922-201

From: Joseph H. Born

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Message

Applicant: Montano et al.

USSN: 10/719,644

Filed: November 21, 2003

Title: Lacrosse-Stick Heads

Attached herewith is a Response to Notice of Incomplete Reply

IMPORTANT - PLEASE READ

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

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PAGE 1/7 * RCVD AT 5/28/2004 4:33:38 PM [Eastern Daylight Time] * SVR:USPTO-EFAX-1/1 * DNIS:8729306 * CSID:617 832 7000 * DURATION (mm-ss):02-22

Deposit Account Statement

Page 1 of 3


**United States
Patent and
Trademark Office**
**Deposit Account Statement****Requested Statement Month:**

May 2004

Deposit Account Number:

061448

Name:

FOLEY, HOAG & ELIOT LLP

Attention:

PATENT GROUP

Address:

155 SEAPORT BLVD

City:

BOSTON

State:

MA

Zip:

02109

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
05/03	2	10194024	IHM-248.01	1252	\$420.00	\$9,112.00
05/03	128	09758034	NSO-001.01	8021	\$40.00	\$9,072.00
05/03	444	10688768		8021	\$40.00	\$9,032.00
05/04	42	60566737	HKT-001.61	2005	\$80.00	\$8,952.00
05/04	93	PCT/US04/13126	WBA-002.25	1621	\$300.00	\$8,652.00
* 05/04	111	10719644	BRY-002.01	2001	\$385.00	\$8,267.00
05/04	112	10719644	BRY-002.01	2202	\$63.00	\$8,204.00
05/05	1	10460768		1814	\$110.00	\$8,094.00
05/05	150	09858334	NSO-009.01	8021	\$40.00	\$8,054.00
05/05	304	09596251	15626-0059	1504	\$300.00	\$7,754.00
05/06	1	09561750	FOM-109	1801	\$770.00	\$6,984.00
05/06	7	60548638	FPY-091.60	1807	\$50.00	\$6,934.00
05/06	92	60567604	HMV-091.61	2005	\$80.00	\$6,854.00
05/06	245	PCT/US03/32721	BSA-017.25 (20704-1725)	1705	\$14.00	\$6,840.00
05/06	248	PCT/US04/13570	WBA-002.26	1621	\$300.00	\$6,540.00
05/06	308	09726800		8021	\$40.00	\$6,500.00
05/06	465	10475204	HWV-056.01	2617	\$65.00	\$6,435.00
05/07	123	60568150	HMV-096.60	2005	\$80.00	\$6,355.00
05/10	3	09310185	30945.5USC1	1251	\$110.00	\$6,245.00
05/10	4	09310185	30945.5USC1	1801	\$770.00	\$5,475.00
05/10	86	PCT/US04/09965		1601	\$300.00	\$5,175.00
05/10	87	PCT/US04/09965		1602	\$1,000.00	\$4,175.00
05/10	88	PCT/US04/09965		1702	\$1,134.00	\$3,041.00
05/10	89	PCT/US04/09965		8007	\$60.00	\$2,981.00
05/10	90	PCT/US04/09965		1703	\$408.00	\$2,573.00
05/11	30	PAYMENT		9203	-\$35,900.00	\$38,473.00
05/11	129	09166701	SMI-005.01	2254	\$740.00	\$37,733.00
05/11	130	09166701	SMI-005.01	2801	\$385.00	\$37,348.00

PTO/SB/17 (10-03)

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U.S. Patent and

Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 513

Complete if Known

Application Number 10719,644

Filing Date November 21, 2003

First Named Inventor Montano et al.

Examiner Name EXAMINER

Art Unit 3711

Attorney Docket No. BRY-002.01

COPY

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number

08-1448, Reference: BRY-002.01

Deposit
Account
Name

Foley Hoag LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	2001	770	385	Utility filing fee	385
1002	2002	340	170	Design filing fee	
1003	2003	530	265	Plant filing fee	
1004	2004	770	385	Reissue filing fee	
1005	2005	160	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 385)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
27	3		7	8	63
			0		0
					0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1202	2202	18	9	Claims in excess of 20
1201	2201	86	43	Independent claims in excess of 3
1203	2203	290	145	Multiple dependent claim, if not paid
1204	2204	88	43	Reissue independent claims over original patent
1205	2205	18	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 63)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	2051	130	65	Surcharge - late filing fee or oath	65.00
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet	
1053	2053	130	65	Non-English specification	
1812	2812	2,520	2,520	For filing a request for reexamination	
1804	2804	920*	920*	Requesting publication of SIR prior to Examiner action	
1805	2805	1,840*	1,840*	Requesting publication of SIR after Examiner action	
1251	2251	110	65	Extension for reply within first month	
1252	2252	420	210	Extension for reply within second month	
1253	2253	950	475	Extension for reply within third month	
1254	2254	1,480	740	Extension for reply within fourth month	
1255	2255	2,010	1,005	Extension for reply within fifth month	
1401	2401	330	165	Notice of Appeal	
1402	2402	330	165	Filing a brief in support of an appeal	
1403	2403	290	145	Request for oral hearing	
1451	2451	1,510	1,510	Petition to institute a public use proceeding	
1452	2452	110	55	Petition to revive - unavoidable	
1453	2453	1,330	665	Petition to revive - unintentional	
1501	2501	1,330	665	Utility issue fee (or reissue)	
1502	2502	480	240	Design issue fee	
1503	2503	640	320	Plant issue fee	
1460	2460	130	130	Petitions to the Commissioner	
1807	2807	50	50	Processing fee under 37 CFR 1.17 (g)	
1806	2806	180	180	Submission of Information Disclosure Stmt	
8021	28021	40	40	Recording each patent assignment per property (times: number of properties)	
1809	2809	770	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	2810	770	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	2801	770	385	Request for Continued Examination (RCE)	
1802	2802	900	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 65)

SUBMITTED BY

Name (Print/Type)

Jeffrey M. Sears

Registration No.
(Attorney/Agent)

48,440

Complete (if applicable)

Telephone

(617) 832-3022

Signature

Date

May 3, 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/719,644	11/21/2003	Ben Montano	BRV-002.01 (23922-201)

25181

FOLEY HOAG, LLP

PATENT GROUP, WORLD TRADE CENTER WEST

155 SEAPORT BLVD

BOSTON, MA 02110

CONFIRMATION NO. 1261

FORMALITIES LETTER



0000000012614655

Response Due
DUE: 6/9/04 - 1 mo ext
FINAL: 10/9/04

Date Mailed: 05/12/2004

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 05/03/2004 to the Notice to File Missing Parts (Notice) mailed 03/09/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 was not received.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

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*A copy of this notice **MUST** be returned with the reply.*

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MAY 17 2004

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DOCKETING


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Initial Patent Examination Division (703) 308-1202

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